

3732  
2004

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/992,639
	Filing Date	November 6, 2001
	First Named Inventor	Dana C. Mears
	Art Unit	3732
	Examiner Name	Michael B. Priddy
Total Number of Pages in This Submission	Attorney Docket Number	ZM0414 A1CIP

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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<b>Remarks</b> Form PTO-1449 Copy of European Search Report Copies of Foreign References Return Receipt Postcard	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jonathan D. Feuchtwang, Reg. No. 41,017 Zimmer Technology, Inc.
Signature	
Date	November 22, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
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## THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Meary et al

Serial No.: 09/992,639

Filed: November 6, 2001

For: METHOD AND APPARATUS FOR  
PERFORMING A MINIMALLY  
INVASIVE TOTAL HIP  
ARTHROPLASTY

Art Unit: 3732

Examiner: Michael B. Priddy

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November 22, 2004

Date

*[Signature]*  
Attorney for Applicants  
Registration No. 41,017

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This IDS is submitted under 37 C.F.R. §1.97(c), after the C.F.R. §1.97(b) time period, but before the mail date of a Final Office Action or a Notice of Allowance (whichever occurs first), with either:

- (a) a statement under 37 C.F.R. §1.97(e); or
- (b) the \$180.00 fee under 37 C.F.R. §1.17(p).

Applicant(s) submit herewith Form PTO-1449 (Information Disclosure Citation) together with copies of patents, publications or other information of which applicant n(s) are aware, which applicant(s) believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 C.F.R. §1.56. Applicant(s) respectfully submit that the citation of any reference on Form PTO-1449 does not constitute an admission that the reference qualifies as prior art.

It is requested that the information disclosed on the enclosed Form PTO-1449 be made of record in this application.

(X) Statement Under 37 C.F.R. §1.97(e):

(X) The enclosed references were cited in a Communication issued by the European Patent Office (copy enclosed). Applicant(s) hereby certify(ies) that each item of information cited on the enclosed Form PTO-1449 was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement.

(X) Applicant(s) hereby certify(ies) that no item of information cited on the enclosed Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below after making reasonable inquiry, no item of information cited on the enclosed Form PTO-1449 was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

( ) Enclosed is a check for \$180.00 to cover the fee as set forth in 37 C.F.R. § 1.17(p).

The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or to credit any overpayment, to Deposit Account No. 50-2779. A duplicate copy of this sheet is enclosed.

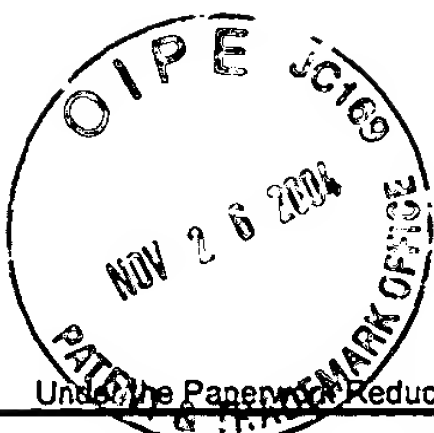
Respectfully submitted,

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Telephone: (312) 372-2859  
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Customer No. 37235

ZIMMER TECHNOLOGY, INC.

By:

*[Signature]*  
Jonathan D. Feuchtwang, Reg. No. 41, 017



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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1

of 2

### Complete if Known

Application Number	09/992,639
Filing Date	November 6, 2001
First Named Inventor	Dana Mears
Art Unit	3732
Examiner Name	Michael B. Priddy
Attorney Docket Number	ZM0414ACIP1

### U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 5,364,403	11/15/94	Petersen	Whole Document
		US- 5,474,560	12/12/95	Rohr, Jr.	Whole Document
		US- 2003/220698	10/31/01	Bristol-Myers Squibb	See Report
		US- 2003/229356	12/11/03	Dye	Whole Document
		US- 5,320,625	06/14/94	Bertin	See Report
		US- 5,738,586	94.14.98	Jorge Arriaga	Whole Document
		US- 5,720,750	02/24/98	H. Koller et al	See Report
		US- 5,089,003	02/18/92	W. Fallin et al	Figs 1, 3, 4A-D
		US- 5,190,550	03/02/93	G.J. Miller et al	Fig 4
		US-			
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### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		EP1 149 562 A	10/31/01	Bristol-Myers	See Report	
		WO 03/065906 A	08/14/03	Chana	Figs 1-4	
		FR 1 041 311 A	10/22/53	Chevalier	See Report	
		EP0 380 309 A	08/01/90	Smith & Nephew	Figs 7, 10	
		EP0 956 824 A	11/17/99	Waldemar Link	Fig 2	
		FR 2 742 038 A	06/13/97	Landanger Lndos	See Report	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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